

REMARKS

Claims 1-8, 10, 13-16, and 27 are pending in the present application. New claims 27-41 have been added. Claim 1 has been amended to more clearly define the invention. In particular, claim 1 has been amended to clarify that the telephone call is directed to a telephone terminal for the callee for the purpose of speaking to the callee. Support for this amendment may be found on page 12, line 25 through page 13, line 10. No new matter has been added. Applicants respectfully request reconsideration and examination in view of the above amendments and the following remarks.

Claim rejections 35 U.S.C. §103(a)

Claims 1-8, 10, and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miner et al., (U.S. 6,021,181, hereafter “Miner” in view of Miner (U.S. 6,047,053, hereafter “’053 Patent”). Claims 13-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miner combined with the ‘053 Patent in view of O’Brien (U.S. Patent 5,479,489). Applicants respectfully submit that Miner, the ‘053 Patent, and O’Brien all fail to teach, disclose, or suggest each and every feature of Applicants’ claimed invention as recited in the pending claims.

Claim 1

Applicants’ claimed invention as recited in amended claim 1 is drawn to a method of screening a caller prior to establishing a telephone connection between the caller and a callee. The method comprises receiving an indication from the callee of one or more callers that are authorized to be directly connected to the callee upon calling the callee, wherein the indication includes an instruction to collect voice samples of the authorized callers, receiving a telephone call from a caller, prompting the caller to speak the name of the callee, receiving the name of the callee when spoken by the caller, wherein the callee is a person and wherein the telephone call is directed to a telephone terminal for the callee for the purpose of speaking to the callee, identifying the caller by analyzing the voice of the caller received when the caller speaks the name of the callee without asking the caller to self identify, wherein the identifying comprises the steps of: generating a first voice sample of the caller’s voice when the caller speaks the name of the callee, comparing the first voice sample to a second voice sample, and routing the

telephone call to the telephone terminal for the callee if the identified caller is authorized to be directly connected to the callee.

In contrast, Miner discloses an electronic voice mail message handling system. The Office Action states that the system of Miner (which, as admitted in the Office Action routes calls to a machine) is able to route the caller's call to a person based on Figure 4A. Applicants respectfully disagree and submit that while a caller may recite the name of a person in the system described by Miner, the caller is merely identifying an appropriate voice mail box in which to leave a message for an identified person. (See Col. 11, lines 50-56). Thus, there is no teaching in Miner for routing a caller's call to a person (i.e., a telephone number for the callee) for the purpose of speaking to the callee, as specified in amended independent claim 1. Furthermore, it is respectfully submitted that Miner also fails to teach, disclose, or suggest identifying the caller by analyzing the voice of the caller received when the caller speaks the name of the callee without asking the caller to self identify, as specified in amended independent claim 1. In contrast, Miner discloses that a caller to the voice mail system may utter a special word (i.e., "Wildfire") so that the system may recognize the caller as a subscriber. (See Col. 11, lines 57-65). Thus, contrary to the assertion in the Office Action, "Wildfire" is not the name of a callee. It is respectfully submitted that the callee in Miner is actually the voice mail system which identifies itself with a token when a subscriber calls into the system (e.g., "'Hello, I'm the assistant for Warner Associates'"). (See Col. 11, lines 37-50). Thus, the special word discussed in Miner is actually used to self identify the caller (i.e., after "Wildfire" is spoken and analyzed/recognized the system responds with "Oh hi, 'Bill'. How is it going?") contrary to amended independent claim 1. Based on the foregoing, it is respectfully submitted that amended claim 1 is allowable over Miner.

The '053 Patent, relied upon in the Office Action to cure the deficiencies of Miner, discloses an electronic assistant for assisting a subscriber with his or her communications by carrying out delegated tasks. The '053 Patent, however fails to teach, disclose, or suggest identifying the caller by analyzing the voice of the caller received when the caller speaks the vocalization. Applicants respectfully submit that Miner describes identifying a caller by asking the caller to say his/her name. (See Miner, column 33, lines 44-60). However, Miner does not describe or suggest (3) identifying the caller by analyzing the voice of the caller received when the caller speaks the name of the callee without asking the caller to self identify as recited in

Applicants' amended claim 1. The '053 Patent further fails to teach, disclose, or suggest routing the telephone call to a telephone terminal for the callee if the identified caller is authorized to be directly connected to the callee. As stated previously in Applicants' response mailed on 2/22/05, even if a caller as described in the '053 Patent has a higher priority, the higher priority indication does not determine whether the call is routed to the callee. The callee must still authorize access and routing of the call to the callee. Thus, Miner only describes an attempt to establish a direct connection for high priority callers. (See Miner column 39, lines 59-62 and column 39, lines 10-15). Therefore amended claim 1 is allowable over Miner in view of the '053 Patent for at least these reasons.

Dependent claims

At least because claims 2-8, 10 and 27 inherit the language of amended claim 1, Applicants respectfully submit that claims 2-8, 10 and 27 are also allowable over Miner in view of the 181 patent.

Claims 13-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miner combined with the '053 Patent in view of O'Brien. At least because, as described above, amended claim 1 is allowable over Miner in view of the '053 Patent and claims 13-16 inherit the language of amended claim 1, Applicants respectfully submit that claims 13-16 are also allowable over Miner in view of the '053 Patent and O'Brien.

New Claims

New claims 27-41 inherit at least the language of claims 1, 2-4, 7, 9, and 13, which, as discussed above, are allowable over the cited art of record. Therefore, Applicants respectfully submit that new claims 27-41 are also allowable over the cited art of record for at least the same reasons.


CONCLUSION

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD

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